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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,144	01/15/2004	David Y. Kim	ILL01-010-US	7197
43320 75	90 03/21/2006		EXAMINER	
EVAN LAW GROUP LLC			SONG, MATTHEW J	
CHICAGO, IL	AMS, SUITE 350 60661		ART UNIT PAPER NUMBER	
•			1722	

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application No.	Applicant(s)	
	10/760,144	KIM ET AL.	
Office Action Summary	Examiner	Art Unit	
	Matthew J. Song	1722	
The MAILING DATE of this communication app Period for Reply	pears on the cover sheet with	the correspondence ac	ddress
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DOWN THE MAILING DOWN THE STATE OF THE MAILING THE MAIL	ATE OF THIS COMMUNICA 36(a). In no event, however, may a reply will apply and will expire SIX (6) MONTHS , cause the application to become ABAN	TION. be timely filed from the mailing date of this of the control of the contr	
Status			
1) Responsive to communication(s) filed on 15 Ja	anuary 2004.		
	action is non-final.		
3) Since this application is in condition for alloward closed in accordance with the practice under E	•	•	e merits is
Disposition of Claims			
4) Claim(s) 1-45 is/are pending in the application.			
4a) Of the above claim(s) is/are withdraw			
5) Claim(s) is/are allowed.			
6) Claim(s) is/are rejected.			
7) Claim(s) is/are objected to.			
8) Claim(s) <u>1-45</u> are subject to restriction and/or	election requirement.		
Application Papers			
9) The specification is objected to by the Examine	r.		
10) The drawing(s) filed on is/are: a) acce	epted or b) objected to by	the Examiner.	
Applicant may not request that any objection to the			
Replacement drawing sheet(s) including the correct	ion is required if the drawing(s)	is objected to. See 37 C	FR 1.121(d).
11)☐ The oath or declaration is objected to by the Ex	aminer. Note the attached O	ffice Action or form P	TO-152.
Priority under 35 U.S.C. § 119			
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of:	priority under 35 U.S.C. § 1	19(a)-(d) or (f).	
1. Certified copies of the priority documents	s have been received.		
2. Certified copies of the priority documents	s have been received in Appl	lication No	
3. Copies of the certified copies of the prior	• •		Stage
application from the International Bureau	•		•
* See the attached detailed Office action for a list	of the certified copies not red	eived.	
Attachment(s)			
1) Notice of References Cited (PTO-892)	4) Interview Sum		
2)		lail Date mal Patent Application (PT)	O-152)
Paper No(s)/Mail Date	6) Other:	,,,	•

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DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-17 and 32-45, drawn to a method, classified in class 117, subclass 11.
- II. Claims 18-31 drawn to an apparatus, classified in class 422, subclass 245.1.

2. The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another and materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the apparatus as claimed can be used in another materially different process, such as one where the first plurality of solutions contain the same concentrations of a compound.

- 3. Because these inventions are independent or distinct for the reasons given above and have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.
- 4. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Song whose telephone number is 571-272-1468. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on 571-272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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MJS · March 17, 2006

Matthew J Song Examiner Art Uni 1722

ROBERT KUNEMUND PRIMARY EXAMINER